

House Engrossed

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
First Regular Session ,  
2003

## HOUSE RESOLUTION 2001

### A RESOLUTION

DECLARING THIS STATE'S SOVEREIGNTY UNDER THE UNITED STATES CONSTITUTION AND DEMANDING THAT THE FEDERAL GOVERNMENT STOP MANDATES THAT ARE BEYOND ITS POWERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1       Whereas, the 10th Amendment to the Constitution of the United States  
2 reads as follows:

3       "The powers not delegated to the United States by the Constitution, nor  
4 prohibited by it to the States, are reserved to the States respectively, or  
5 to the people"; and

6       Whereas, the 10th Amendment defines the total scope of federal power  
7 as being that specifically granted by the United States Constitution and no  
8 more; and

9       Whereas, the scope of power defined by the 10th Amendment means that  
10 the federal government was created by the states specifically to be the agent  
11 of the states; and

12       Whereas, for many years, the states have been demonstrably treated as  
13 agents of the federal government; and

14       Whereas, the Arizona Legislature has forwarded resolutions to the  
15 federal government that have received no reply or result from Congress or the  
16 federal government; and

17       Whereas, many federal mandates are directly in violation of the 10th  
18 Amendment to the Constitution of the United States; and

19       Whereas, the United States Supreme Court has ruled in New York v.  
20 United States, 112 S. Ct. 2408 (1992), that Congress may not simply  
21 commandeer the legislative and regulatory processes of the states; and

22       Whereas, a number of proposals from previous administrations and some  
23 now pending from the present administration and from Congress may further  
24 violate the United States Constitution.

25 Therefore

26 Be it resolved by the House of Representatives of the State of Arizona:

27       1. That the State of Arizona hereby claims sovereignty under the 10th  
28 Amendment to the Constitution of the United States over all powers not  
29 otherwise enumerated and granted to the federal government by the United  
30 States Constitution and that this measure serves as notice and demand to the  
31 federal government to cease and desist, effective immediately, mandates that  
32 exceed the scope of its constitutionally delegated powers.

33       2. That the Secretary of State transmit copies of this Resolution to  
34 the President and Vice-president of the United States, the Speaker of the  
35 House of Representatives of the United States, the President of the Senate  
36 of the United States, each Member of Congress from the State of Arizona and  
37 the Speaker of the House of Representatives and the President of the Senate  
38 of each state legislature in the United States.

PASSED BY THE HOUSE MARCH 10, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 10, 2003.

Passed the House March 10, 20 03

by the following vote 38 Ayes

19 Nays, 3 Not Voting

Jake Flake

Speaker of the House of Representatives

Herman L. Tyoore

Chief Clerk of the House of Representatives

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

H.R. 2001

This Resolution was received by the Secretary of State

this 10 day of March, 2003

at 10:00 o'clock A. M.

Janice K. Brewer

Secretary of State